

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b),)	
FM Table of Allotments,)	MM Docket No. 01-179
FM Broadcast Stations.)	RM-10199
(Port St. Joe, Florida))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: September 18, 2002

Released: September 27, 2002

By the Assistant Chief, Audio Division:

1. The Audio Division has before it a *Notice of Proposed Rule Making*¹, issued at the request of Cecil P. Staton ("Petitioner"), requesting the allotment of Channel 242A at Port St. Joe, Florida. Petitioner filed comments in support of the proposal reaffirming his intention to apply for the channel, if allotted. On June 16, 2002, Petitioner filed a request for dismissal of his petition.² No other comments were received.

2. A showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest. Therefore, we will grant Petitioner's request to dismiss the instant proposal.

3. Accordingly, IT IS ORDERED, That the petition for rule making filed by Cecil P. Staton IS DISMISSED.

4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

5. For further information concerning this proceeding, contact Deborah A. Dupont, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

¹ *Port St. Joe, Florida*, 16 FCC Rcd 14,912 (M.M.Bur. 2001).

² In accordance with Section 1.420(j) of the Commission's Rules, (47 C.F.R. § 1.420(j)), Petitioner states that he has not nor will not receive, either directly or indirectly, any money or other consideration in excess of legitimate and prudent expenses in connection with the dismissal of his petition.